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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/432,069	11/02/1999	HARRY SANTAMAKI	017.37310X00	9593

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EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 02/03/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/432,069

Applicant(s)

SANTAMAKI ET AL.

Examiner

Jinsong Hu

Art Unit

2154

--The MAILING DATE of this communication appears in the cover sheet with the correspondence address --

THE REPLY FILED

FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3TH months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached paper.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.Claim(s) objected to: 8, 19 and 27.Claim(s) rejected: 1-7, 9-18, 20-26 and 28.Claim(s) withdrawn from consideration: None.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


ZARNI MAUNG
PRIMARY EXAMINER

Applicant's request for reconsideration has been considered but does not place the application in the condition for allowance because:

A. As to the limitations of claims 1, 13 and 21, applicant fails to consider the teaching of Sweet for sending and converting the selected electronic reading material to a e-book server [100, Fig. 11] from the central server [col. 7, lines 8-14; col. 8, lines 27-35]. Furthermore, applicant fails to consider the teaching of Warnock for downloading the selected e-book to a e-book terminal and for emulating the e-book server as a network printer by a e-book driver [i.e., the selected e-book can be downloaded to the other terminal via network or modem, and a PDF or said e-book driver installed in the host computer for transmitting or "print" the selected file to a destination device, col. 5, lines 22-31 & 46-62]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine both teaching of Warnock's and Sweet's to improve the capability of Sweet's system by providing services to more users.

B. As to the limitations of claims 2-7, 9-12, 14-18, 20, 22-26 and 28, since they are dependent claims of claims 1, 13 and 21, same reason applied to them set forth as discussed above.

C. As to the limitations of claims 8, 19 and 27, they are objected to as being dependent upon a rejected base claims 1, 13 and 27, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Therefore, Sweet and Warnock are relevant prior art references for claims 1-7, 9-18, 20-26 and 28.